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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,904	03/11/2004	James Michael McArdle	AUS920031066US1	7024
48916	7590	02/10/2009		
Greg Goshorn, P.C. 9600 Escarpment Suite 745-9 AUSTIN, TX 78749			EXAMINER CAO, PHUONG THAO	
			ART UNIT 2164	PAPER NUMBER
			MAIL DATE 02/10/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. This action is in response to Amendment filed on 11/17/2008.
2. Claims 1, 8, 15, 21 and 25 have been amended, and claims 6, 13, 20, 23 and 24 were previously cancelled. Currently, claims 1-5, 7-12, 14-19, 21, 22 and 25 are pending.

Response to Amendment

3. Regarding objections to claims 16-19, Applicant stated in the Remarks (page 10) that claim 15 was amended by replacing the term “program” by the term “programming”. However, no such amendment was actually made to claim 15. Therefore, the previous claim objections have been maintained.
4. In view of amendment to Specification and Remarks (page 10, Rejections Based on §101), the 101 rejection to claims 15-19 have been withdrawn.

Response to Arguments

5. Applicant's arguments filed 11/17/2008 have been fully considered but they are not persuasive.

Regarding Applicant's argument that the cited art does not teach or suggest "the metadata and the additional metadata inserted into the second destination document is accessible from the first destination document", Examiner respectfully disagrees.

Examiner interprets "document" broadly as a set of data either stored or presented as a whole. Therefore, a paper with printed data or a computer screen with displayed data or a file that stored data can all be interpreted as a "document" as recited. Denoue et al. teaches in paragraph [0091], a first destination document (a paper with printed data) including a barcode wherein the barcode functions as a link to access to stored metadata wherein a file that stored metadata can be interpreted as the second destination document as recited. In addition, a link/hyperlink is well known for accessing data of a document from another document.

Regarding Applicant's argument with respect to claims 7 and 14 that Gulati et al. does not suggest the recited element "wherein the metadata is not viewable during at least one processing phase of the first destination document", Examiner respectfully disagrees. Gulati et al. teaches in [column 16, lines 1-10] wherein the bibliographic information (metadata) only displayed when the tab is selected, which means the metadata is viewable when the tab is selected but is not viewable when the tab is not selected.

Claim Objections

6. Claims 16-19 are objected to because of the following informalities: the recited "The computer programming product of claim 15" at the beginning of each claim should be replaced

by “The computer program product of claim 15” for consistency. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 1-5, 7-12, 14-19, 21, 22 and 25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 1, 8, 15, 21 and 25, the newly added limitation of “the metadata and the additional metadata inserted into the second destination document is accessible from the first destination document” is not disclosed in the Specification. The Abstract discloses that *the system stores the information as metadata so that the user or a subsequent user of the destination document can, when necessary, access the metadata*. More specifically, paragraph [0019] discloses:

The metadata (not shown) may be stored either in a visible or non-visible manner within file 113 or, in the alternative, in a second file (not shown) on data store 111. For example, if the book report 113 is stored as a Microsoft Word document entitled "Book Report.doc" then the corresponding metadata may be stored as a file entitled "Book Report.mta." In this manner, it is easy to correlate a Word document with the corresponding metadata file.

Thus, there is a disclosure of the correlation between a Word document (first destination document) and the corresponding metadata file (second destination document) based on their names. However, there is not the disclosure of metadata in the metadata file is accessible from the Word document as recited.

Other dependent claims are rejected as incorporating the deficiencies of rejected independent claims upon which they depend.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-5, 7-12, 14-19, 21 and 22 (effective filing date 3/11/2004) are rejected under 35 U.S.C. 103(a) as being unpatentable over Gulati et al. (US Patent No 6,924,827, effective filing

date 12/28/1999) in view of Shunichi (Publication of Japanese Application 2003-256438, publication date 09/12/2003) and Denoue et al. (Publication No US 2003/0051615, effective filing date 9/14/2001).

As to claim 1, Gulati et al. teach:

“A method for tracking metadata related to an information object inserted into a document” (see Gulati et al., [column 3, lines 1-5]) the method comprising the steps of:

“compiling metadata describing an information object collected from a source document” (see Gulati et al., [column 5, lines 5-15] and [column 16, lines 1-10] for capturing additional metadata);

“storing the metadata, the additional metadata and the corresponding information object in a memory” (see Gulati et al., [column 5, lines 8-25] and [column 6, lines 10-20]); and

“inserting the information object into a first destination document” (see Gulati et al., [column 6, lines 14-18] for cutting and pasting data between applications).

In addition, Gulati et al. teaches an analyzer/conduit for capturing additional metadata wherein capturing additional metadata as disclosed requires scanning the captured data passed from the data scanner (see Gulati et al., [column 5, lines 7-13]).

However, Gulati et al. does not explicitly teach the captured additional metadata related to a copyright status of the source document.

On the other hand, Shunichi teaches:

“scanning the source document to generate additional metadata related to a copyright status of the source information” (see Shunichi, Abstract, [0022], [0034] and [0035] for

extracting copyright information of the multimedia from its web page wherein extracting data from a web page requires scanning the web page).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate teaching of Shunichi into Gulati et al.'s system. A skilled artisan would have been motivated to do so as suggested by Gulati et al., [column 5, lines 10-13], that captured/extracted metadata can be any data describing or referring to the original data, and suggested by Shunichi, [0009] and [0015], that extracting copyright information is necessary in addressing problems regarding copyrighted materials on the web. Both Gulati et al. and Shunichi implement a system, which allows scanning and extracting metadata relating multimedia data from its original source. This close relation between the two references highly suggests an expectation of suggest.

However, Gulati et al. and Shunichi do not teach "inserting the metadata into a second destination document, wherein the second destination document is associated with the first destination document and the metadata and the additional metadata inserted into the second destination document is accessible from the first destination document".

Denoue et al. teach "inserting the metadata and the additional metadata into a second destination document, wherein the second destination document is associated with the first destination document and the metadata and the additional metadata inserted into the second destination document is accessible from the first destination document" (see Denoue et al., [0091] teaches data information (element) captured by the printing device is printed along with an identifier (i.e., barcode), and metadata accessed by scanning the barcode can be printed elsewhere (i.e., on another paper) wherein the paper or medium containing the printed data

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information is broadly interpreted as a first destination document, the other paper or medium containing the printed metadata is broadly interpreted as a second destination document, and the barcode (i.e., identifier) represents the association between the two documents (i.e., printed data information and printed/stored metadata)).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate teaching of Denoue et al. into Gulati et al.'s system (as modified by Shunichi). A skilled artisan would have been motivated to do so to provide one more flexible and effective way to manage and access the metadata associated with captured data. Both Gulati et al. and Denoue et al. implement a system, which allows gathering data from various sources, and tracking and attributing such data used to its original source. This close relation between the two references highly suggests an expectation of suggest.

As to claim 2, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the first destination document is a word processing document” (see Gulati et al., [column 2, lines 1-5]).

As to claim 3, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the information object is computer source code” (see Gulati et al., [column 7, lines 65-67] and [column 8, lines 1-10] wherein any electronic data or data object is equivalent to Applicant’s “computer source code”).

As to claim 4, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the metadata includes information providing attribution for the information object” (see Gulati et al., [column 3, lines 1-5] and [column 5, lines 10-15]).

As to claim 5, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the metadata includes information related to the source document” (see Gulati et al., [column 16, lines 1-10]; also see Denoue et al., [0092]).

As to claim 7, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the metadata is not viewable during at least one processing phase of the first destination document” (see Gulati et al., [column 15, lines 20-30] wherein metadata such as bibliographic data is not viewable when not requested by the user).

As to claim 8, Gulati et al. teach:

“A system for tracking metadata related to an information object inserted into a document” (see Gulati et al., [column 1, lines 30-40], [column 3, lines 1-5] and [column 15, lines 55-65]), comprising:

“a computing system” (see Gulati et al., [column 4, lines 45-55]);

“a source document” (see Gulati et al., [column 8, lines 1-20]);

“a first destination document” (see Gulati et al., [column 6, lines 10-20] and [column 16, lines 20-30] wherein requesting application or target application is equivalent to Applicant’s “first destination document”);

“an information object collected from the source document” (see Gulati et al., [column 5, lines 1-15] and [column 7, lines 65-67] wherein captured electronic data is equivalent to Applicant’s “information object”);

“a metadata object describing the information object” (see Gulati et al., [column 5, lines 5-15] and [column 12, lines 17-20] wherein gem data object, which contains metadata describing or referring to the original data is equivalent to Applicant’s “metadata object”); and

“logic, executed on the computing system, for inserting the information object into the first destination document” (see Gulati et al., [column 6, lines 14-18] for cutting and pasting data between applications).

In addition, Gulati et al. teaches an analyzer/conduit for capturing additional metadata wherein capturing additional metadata as disclosed requires scanning the captured data passed from the data scanner (see Gulati et al., [column 5, lines 7-13]).

However, Gulati et al. does not explicitly teach the captured additional metadata related to a copyright status of the source document.

On the other hand, Shunichi teaches:

“logic, executed on the computing system, for scanning the source document to generate additional metadata related to a copyright status of the source information” (see Shunichi, Abstract, [0022], [0034] and [0035] for extracting copyright information of the multimedia from its web page wherein extracting data from a web page requires scanning the web page).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate teaching of Shunichi into Gulati et al.’s system. A skilled artisan would have been motivated to do so as suggested by Gulati et al., [column 5, lines 10-13], that captured/extracted metadata can be any data describing or referring to the original data, and suggested by Shunichi, [0009] and [0015], that extracting copyright information is necessary in addressing problems regarding copyrighted materials on the web. Both Gulati et al. and Shunichi implement a system, which allows scanning and extracting metadata relating multimedia data from its original source. This close relation between the two references highly suggests an expectation of suggest.

However, Gulati et al. and Shunichi do not teach”

“a second destination document”; and

“logic, executed on the computing system, for inserting the metadata and the additional metadata into a second destination document, wherein the second destination document is associated with the first destination document and the metadata and the additional metadata inserted into the second destination document is accessible from the first destination document”.

Denoue et al. teach “inserting the metadata and the additional metadata into a second destination document, wherein the second destination document is associated with the first destination document and the metadata and the additional metadata inserted into the second destination document is accessible from the first destination document” (see Denoue et al., [0091] teaches data information (element) captured by the printing device is printed along with an identifier (i.e., barcode), and metadata accessed by scanning the barcode can be printed elsewhere (i.e., on another paper) wherein the paper or medium containing the printed data information is broadly interpreted as a first destination document, the other paper or medium containing the printed metadata is broadly interpreted as a second destination document, and the barcode (i.e., identifier) represents the association between the two documents (i.e., printed data information and printed metadata)).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate teaching of Denoue et al. into Gulati et al.’s system (as modified by Shunichi). A skilled artisan would have been motivated to do so to provide one more flexible and effective way to manage and access the metadata associated with captured data. Both Gulati et al. and Denoue et al. implement a system, which allows gathering data from various sources, and tracking and attributing such data used to its original source. This close relation between the two references highly suggests an expectation of suggest.

As to claim 9, this claim is rejected based on arguments given above for rejected claim 8 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the first destination document is a word processing document” (see Gulati et al., [column 2, lines 1-5]).

As to claim 10, this claim is rejected based on arguments given above for rejected claim 8 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the information object is computer source code” (see Gulati et al., [column 7, lines 65-67] and [column 8, lines 1-10] wherein any electronic data or data object is equivalent to Applicant’s “computer source code”).

As to claim 11, this claim is rejected based on arguments given above for rejected claim 8 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the metadata includes information providing attribution for the information object” (see Gulati et al., [column 5, lines 10-15] and [column 16, lines 1-10]).

As to claim 12, this claim is rejected based on arguments given above for rejected claim 8 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the metadata includes information related to the source document” (see Gulati et al., [column 16, lines 1-10]).

As to claim 14, this claim is rejected based on arguments given above for rejected claim 8 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the metadata is not viewable during at least one processing phase of the first destination document” (see Gulati et al., [column 15, lines 20-30] wherein metadata such as bibliographic data is only viewable when requested by the user).

As to claim 15, Gulati et al. teach:

“A computer program product for tracking metadata related to an information object inserted into a document” (see Gulati et al., [column 1, lines 30-37], [column 5, lines 1-15] and [column 6, lines 13-20]), comprising:

“a recording medium” (see Gulati et al., [column 4, lines 55-60]);

“means, stored on the recording medium, for compiling metadata describing an information object collected from a source document” (see [column 5, lines 5-15] for capturing additional metadata, as illustrated in Applicant’s claim language);

“means, stored on the recording medium, for storing the metadata, the additional metadata and the corresponding information object in a memory” (see Gulati et al., [column 5, lines 8-25] and [column 6, lines 10-20]); and

“means, stored on the recording medium, for inserting the information object into the first destination document” (see Gulati et al., [column 6, lines 14-18] for cutting and pasting data between applications).

In addition, Gulati et al. teaches an analyzer/conduit for capturing additional metadata wherein capturing additional metadata as disclosed requires scanning the captured data passed from the data scanner (see Gulati et al., [column 5, lines 7-13]).

However, Gulati et al. does not explicitly teach the captured additional metadata related to a copyright status of the source document.

On the other hand, Shunichi teaches:

“means, stored on the recording medium, for scanning the source document to generate additional metadata related to a copyright status of the source information” (see Shunichi, Abstract, [0022], [0034] and [0035] for extracting copyright information of the multimedia from its web page wherein extracting data from a web page requires scanning the web page).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate teaching of Shunichi into Gulati et al.'s system. A skilled artisan would have been motivated to do so as suggested by Gulati et al., [column 5, lines 10-13], that captured/extracted metadata can be any data describing or referring to the original data, and suggested by Shunichi, [0009] and [0015], that extracting copyright information is necessary in addressing problems regarding copyrighted materials on the web. Both Gulati et al. and Shunichi implement a system, which allows scanning and extracting metadata relating multimedia data from its original source. This close relation between the two references highly suggests an expectation of suggest.

However, Gulati et al. and Shunichi do not teach “means, stored on the recording medium, for inserting the metadata and the additional metadata into a second destination document, wherein the second destination document is associated with the first destination

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document and the metadata and the additional metadata inserted into the second destination document is accessible from the first destination document”.

Denoue et al. teach “means, stored on the recording medium, for inserting the metadata and the additional metadata into a second destination document, wherein the second destination document is associated with the first destination document and the metadata and the additional metadata inserted into the second destination document is accessible from the first destination document” (see Denoue et al., [0091] teaches data information (element) captured by the printing device is printed along with an identifier (i.e., barcode), and metadata accessed by scanning the barcode can be printed elsewhere (i.e., on another paper) wherein the paper or medium containing the printed data information is broadly interpreted as a first destination document, the other paper or medium containing the printed metadata is broadly interpreted as a second destination document, and the barcode (i.e., identifier) represents the association between the two documents (i.e., printed data information and printed/stored metadata)).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate teaching of Denoue et al. into Gulati et al.’s system (as modified by Shunichi). A skilled artisan would have been motivated to do so to provide one more flexible and effective way to manage and access the metadata associated with captured data. Both Gulati et al. and Denoue et al. implement a system, which allows gathering data from various sources, and tracking and attributing such data used to its original source. This close relation between the two references highly suggests an expectation of suggest. (see [column 6, lines 1-20] and [column 16, lines 1-30] wherein requesting application or target application is equivalent to Applicant’s “first destination document”).

As to claim 16, this claim is rejected based on arguments given above for rejected claim 15 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the first destination document is a word processing document” (see Gulati et al., [column 2, lines 1-5]).

As to claim 17, this claim is rejected based on arguments given above for rejected claim 15 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the information object is computer source code” (see Gulati et al., [column 7, lines 65-67] and [column 8, lines 1-10] wherein any electronic data or data object is equivalent to Applicant’s “computer source code”).

As to claim 18, this claim is rejected based on arguments given above for rejected claim 15 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the metadata includes information providing attribution for the information object” (see Gulati et al., [column 5, lines 10-15] and [column 16, lines 1-10]).

As to claim 19, this claim is rejected based on arguments given above for rejected claim 16 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

“wherein the metadata includes information related to the source document” (see Gulati et al., [column 16, lines 1-10]).

As to claim 21, Gulati et al. teach:

“A method for compiling and storing metadata” (see Gulati et al., [column 5, lines 15-25] and [column 12, lines 15-35]), comprising the steps of:

“compiling metadata corresponding to an information object collected from a source document, wherein the metadata is information related to the information object” (see Gulati et al., [column 5, lines 5-15] wherein captured electronic data is equivalent to Applicant’s “information object” and capturing metadata is equivalent to compiling metadata as illustrated in Applicant’s claim language); and

“inserting the information object into the first destination document” (see Gulati et al., [column 6, lines 13-20] wherein the requesting application is equivalent to Applicant’s “first destination document and pasting data means inserting data or the information object as illustrated in Applicant’s claim language).

In addition, Gulati et al. teaches an analyzer/conduit for capturing additional metadata wherein capturing additional metadata as disclosed requires scanning the captured data passed from the data scanner (see Gulati et al., [column 5, lines 7-13]).

However, Gulati et al. does not explicitly teach the captured additional metadata related to a copyright status of the source document.

On the other hand, Shunichi teaches:

“scanning the source document to generate additional metadata related to a copyright status of the source information” (see Shunichi, Abstract, [0022], [0034] and [0035] for extracting copyright information of the multimedia from its web page wherein extracting data from a web page requires scanning the web page).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate teaching of Shunichi into Gulati et al.’s system. A skilled artisan would have been motivated to do so as suggested by Gulati et al., [column 5, lines 10-13], that captured/extracted metadata can be any data describing or referring to the original data, and suggested by Shunichi, [0009] and [0015], that extracting copyright information is necessary in addressing problems regarding copyrighted materials on the web. Both Gulati et al. and Shunichi implement a system, which allows scanning and extracting metadata relating multimedia data from its original source. This close relation between the two references highly suggests an expectation of suggest.

However, Gulati et al. and Shunichi do not teach “storing the metadata and the additional metadata in a second destination document such that the second destination document is correlated with the first destination document and the metadata and the additional metadata inserted into the second destination document is accessible from the first destination document”.

Denoue et al. teach “storing the metadata and the additional metadata in a second destination document such that the second destination document is correlated with the first destination document and the metadata and the additional metadata inserted into the second destination document is accessible from the first destination document” (see Denoue et al., [0091] teaches data information (element) captured by the printing device is printed along with

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an identifier (i.e., barcode), and metadata accessed by scanning the barcode can be printed elsewhere (i.e., on another paper) wherein the paper or medium containing the printed data information is broadly interpreted as a first destination document, the other paper or medium containing the printed metadata is broadly interpreted as a second destination document, and the barcode (i.e., identifier) represents the association between the two documents (i.e., printed data information and printed/stored metadata)).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate teaching of Denoue et al. into Gulati et al.'s system (as modified by Shunichi). A skilled artisan would have been motivated to do so to provide one more flexible and effective way to manage and access the metadata associated with captured data. Both Gulati et al. and Denoue et al. implement a system, which allows gathering data from various sources, and tracking and attributing such data used to its original source. This close relation between the two references highly suggests an expectation of suggest. (see [column 6, lines 1-20] and [column 16, lines 1-30] wherein requesting application or target application is equivalent to Applicant's "first destination document").

As to claim 22, this claim is rejected based on arguments given above for rejected claim 21 and is similarly rejected including the following:

Gulati et al., Shunichi and Denoue et al. teach:

"wherein the metadata is information related to the source of the information object" (see Gulati et al., [column 16, lines 1-10]).

11. Claim 25 (effective filing date 3/11/2004) is rejected under 35 U.S.C. 103(a) as being unpatentable over Denoue et al. (Publication No US 2003/0051615, effective filing date 9/14/2001) in view of Shunichi (Publication of Japanese Application 2003-256438, publication date 09/12/2003).

As to claim 25, Denoue et al. teaches:

“A method of accessing metadata and associating the metadata with an information object” (see Denoue et al., [0091] and [0092]), comprising the steps of:

“assessing a first document” (see Denoue et al., [0091] wherein the printed content with a barcode is interpreted as a first document); and

“retrieving a metadata object, stored in conjunction with the first document and associated with an information object included in a second document, wherein the metadata object includes information relating to the source of the information object and the first document is associated with the second document and the metadata and the additional metadata inserted into the second destination document is accessible from the first destination document” (see Denoue et al., [0091] and [0092] for retrieving metadata by scanning the barcode wherein barcode or identifier is used as an association between data information and its metadata which could be printed on two separate paper or media (first and second document)).

However, Shunichi et al. does not teach:

“scanning the first document to produce metadata related to a copyright status of the first information”; and

“retrieving the metadata corresponding to a copyright status of the first document”.

On the other hand, Shunichi teaches:

“scanning the source document to generate additional metadata related to a copyright status of the source information” (see Shunichi, Abstract, [0022], [0034] and [0035] for extracting copyright information of the multimedia from its web page wherein extracting data from a web page requires scanning the web page).

“retrieving the metadata corresponding to a copyright status of the first document” (see Shunichi, [0062] for retrieving copyright information in situation confirmation).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate teaching of Shunichi into Denoue et al.’s system. A skilled artisan would have been motivated to do so as suggested by Shunichi, [0009] and [0015], that extracting copyright information is necessary in addressing problems regarding copyrighted materials on the web. Both Denoue et al. and Shunichi implement a system, which allows scanning and extracting metadata relating multimedia data from its original source. This close relation between the two references highly suggests an expectation of suggest.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong-Thao Cao whose telephone number is (571)272-2735. The examiner can normally be reached on 8:30 AM - 5:00 PM (Mon - Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung T Vy/
Primary Examiner, Art Unit 2163

Phuong-Thao Cao, Examiner
Art Unit 2164
February 5, 2009